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Attorneys for LIBERTY INSURANCE UNDERWRITERS

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

WEBCOR CONSTRUCTION, LP dba  
WEBCOR BUILDERS, a California limited  
partnership;  
ARCHITECTURAL GLASS AND  
ALUMINUM CO., INC., a California  
corporation,,

Plaintiffs,

vs.

ZURICH AMERICAN INSURANCE  
COMPANY, a New York corporation;  
WESTCHESTER FIRE INSURANCE  
COMPANY, a Pennsylvania corporation;  
OLD REPUBLIC GENERAL INSURANCE  
CORPORATION, an Illinois corporation;  
NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA., a  
Pennsylvania corporation; LIBERTY  
INSURANCE UNDERWRITERS INC., an  
Illinois corporation; STARR INDEMNITY &  
LIABILITY COMPANY, a Texas corporation,  
and DOES 1-10 Inclusive,,

Defendants.

AND RELATED COUNTER, CROSS AND  
THIRD-PARTY-CLAIMS

CASE No. 4:17-cv-02220-YGR  
ORDER GRANTING

**REVISED STIPULATION AND  
~~[PROPOSED] ORDER EXTENDING  
TIME FOR LIU, ZURICH AND OLD  
REPUBLIC TO ANSWER PLAINTIFFS'  
SECOND AMENDED COMPLAINT~~**

The Hon. Yvonne Gonzalez Rogers

Defendants Liberty Insurance Underwriters Inc. ("LIU"), Zurich American Insurance

1 Company (“Zurich”), and Old Republic General Insurance Corporation (“Old Republic”) on the  
2 one hand and Plaintiffs WEBCOR CONSTRUCTION, LP dba WEBCOR BUILDERS,  
3 (“Webcor”) and ARCHITECTURAL GLASS AND ALUMINUM CO., INC. (“AGA”)  
4 (collectively, “Plaintiffs”) on the other hereby submit the following Stipulation Extending Time to  
5 for LIU, Zurich and Old Republic to Answer Plaintiffs’ Second Amended Complaint in the above-  
6 captioned action.

7 WHEREAS, on September 28, 2017, this Court granted National Union’s motion to  
8 dismiss Plaintiffs’ First Amended Complaint, and ordered that Plaintiffs file their Second  
9 Amended Complaint (“SAC”) no later than October 10, 2017 and that all Defendants, including  
10 National Union, file their response to the SAC within 14 days of filing.

11 WHEREAS, Plaintiffs filed their SAC on October 10, 2017 in the United States District  
12 Court, Northern District of California, case number 4:17-cv-02220-YGR;

13 WHEREAS, on or about October 10, 2017, Plaintiffs electronically served LIU, Zurich  
14 and Old Republic with the SAC, triggering Defendants’ responsive pleading deadline of October  
15 24, 2017;

16 WHEREAS, on October 18, 2017, the parties participated in mediation, during which the  
17 mediator indicated a mediator’s proposal would be provided.

18 WHEREAS, on October 21, 2017 the mediator sent a mediator’s proposal for a global  
19 settlement as to all parties except for the third-party defendants.

20 WHEREAS, the deadline for the parties to respond to the mediator’s proposals is  
21 November 8, 2017.

22 WHEREAS, LIU, Zurich and Old Republic and Plaintiffs agree it would be mutually  
23 beneficial to wait to address a potential response to the SAC and oppositions to any motions  
24 challenging the SAC until it can be determined whether a resolution pursuant to the mediator’s  
25 proposal can be achieved in order to allow these parties to focus on whatever efforts may be made  
26 in order to achieve a settlement in the near future.

27 WHEREAS, National Union and Plaintiffs submitted a similar stipulation and proposed  
28 order on October 23, 2017 [Dkt 161], extending time for National Union’s response to the SAC.

1           WHEREFORE, LIU, Zurich and Old Republic and Plaintiffs stipulate and agree to the  
2 following:

3           1. LIU, Zurich and Old Republic are not moving to dismiss the complaint.

4           2. The deadline for LIU, Zurich and Old Republic to Answer to the SAC is extended from  
5 October 24, 2017 until and including November 15, 2017.

6 IT IS SO STIPULATED:  
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1 DATED: MANATT, PHELPS & PHILLIPS LLP  
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3 October 26, 2017 By: /s/  
4 Amy B. Briggs, Esq.  
5 Attorneys for WEBCOR CONSTRUCTION, LP d/b/a  
6 WEBCOR BUILDERS

7 DATED: WOLKIN CURRAN LLP  
8  
9 October 26, 2017 By: /s/  
10 Brandt L. Wolkin, Esq.  
11 Attorneys for ARCHITECTURAL GLASS AND  
12 ALUMINUM CO., INC.

13 DATED: BRANSON, BRINKOP, GRIFFITH & CAMPO LLP  
14  
15 October 26, 2017 By: /s/  
16 John R. Campo, Esq.  
17 Attorneys for OLD REPUBLIC GENERAL  
18 INSURANCE CORPORATION

19 DATED: SINNOTT, PUEBLA CAMPAGNE & CURET PLC  
20  
21 October 26, 2017 By: /s/  
22 Blaise S. Curet, Esq.  
23 John T. Meno, Esq.  
24 Attorneys for ZURICH AMERICAN INSURANCE  
25 COMPANY

26 DATED: MUSICK, PEELER & GARRETT LLP  
27  
28 October 26, 2017 By: /s/  
Susan J. Field, Esq.  
Chad A. Westfall, Esq.  
Attorneys for LIBERTY INSURANCE  
UNDERWRITERS INC.

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**ORDER**

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IT IS SO ORDERED.

DATED: October 27, 2017



YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT JUDGE